

**A RESOLUTION**

**07-R-2413**

**BY COUNCILMEMBER IVORY LEE YOUNG, JR.**

**AS SUBSTITUTED BY**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (11/27/07)**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE ENGLISH AVENUE COMMUNITY DEVELOPMENT CORPORATION, INC., IN AN AMOUNT NOT TO EXCEED \$300,000.00, FOR PREDEVELOPMENT SERVICES FOR THE PROCTOR VILLAGE MIXED USE DEVELOPMENT, UNDER THE 2007 BUDGET OF THE WESTSIDE TAD FUND FROM FUND ACCOUNT AND CENTER NUMBER 1B09 \*\*\*\*\*; AND FOR OTHER PURPOSES.**

**WHEREAS,** The English Avenue Community Development Corporation, Inc. has been selected under the 2007 Budget of the Westside TAD Fund grants; and

**WHEREAS,** funding shall not be released until acquisition of land, predevelopment services for the Proctor Village mixed use development; and

**WHEREAS,** the City of Atlanta ("City") wishes to enter into a contractual agreement with The English Avenue Community Development Corporation, Inc., for implementation of the proposed project options in an amount not to exceed \$300,000.00; and

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES,** that the Mayor or her designee be and is hereby authorized to enter into a contractual agreement with The English Avenue Community Development Corporation, Inc. in an amount not to exceed \$300,000.00 for predevelopment services, design planning, demolition, or construction for the Proctor Village mixed use development, to be charged to and paid from Fund Account and Center number 1B09 \*\*\*\*\*. **The project shall not move forward until authorization in writing is received from Commissioner and/or Deputy Commissioner of Planning and Community Development.**

**BE IT FURTHER RESOLVED,** that if either of the proposed projects fails to materialize by 12/31/2008, alternative projects in the Westside TAD must be presented to the full Council for approval.

**BE IT FURTHER RESOLVED,** that the City Attorney be and is hereby directed to prepare the appropriate contractual agreement for execution by the Mayor or her designee.

**BE IT FINALLY RESOLVED,** that said contractual agreement shall not become binding upon the City, and the City shall incur no liability upon the same until such contract is approved by the City Attorney as to form, executed by the Mayor or her designee, attested to by the Municipal Clerk, and delivered to the contracting parties.

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**BE IT FURTHER RESOLVED,** that if either of the proposed projects fails to materialize, alternative projects must be presented to and approved by the English Avenue Neighborhood Association, Neighborhood Planning Unit L, and the Atlanta City Council District 3 office.

**BE IT FURTHER RESOLVED,** that the City Attorney be and is hereby directed to prepare the appropriate contractual agreement for execution by the Mayor or her designee.

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